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LETTER DATED 8 JULY 1997 FROM THE REPRESENTATIVES OF FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to refer to the joint letter dated 27 June 1997 from the Permanent Observers for the League of Arab States (LAS) and the Organization of African Unity (OAU) to the United Nations (S/1997/497), enclosing a joint letter from the Secretaries-General of those two organizations relating to the question of the sanctions against Libya.

The letter of the Secretaries-General once again tries to misrepresent the question of Libya as a dispute between Libya and two countries. This is not the case. The sanctions imposed on Libya in Security Council resolutions 748 (1992) and 883 (1993) were as a result of the Libyan Government's refusal to comply with obligations which had been required of it by the unanimous decision of the Security Council in resolution 731 (1992). The question which the Council continues to address, therefore, is not a dispute between a few States, but the matter of Libya's continued defiance of a unanimous and binding decision of the Security Council.

We regret that the letter of the Secretaries-General of OAU and LAS does not mention the existence of any of the Security Council resolutions relating to Libya, nor does it mention Libya's failure to comply with them. Instead the Secretaries-General repeat earlier proposals for trial of the Lockerbie accused in a venue outside Scotland or the United States, proposals which do not conform to the requirements of the relevant Security Council resolutions. We do not believe that Council decisions should be a matter of negotiation; they should be obeyed in full.

The Government of Libya knows that for the sanctions against it to be swiftly lifted, all it needs to do is comply with the Council's resolutions. Yet it continues to refuse to take such a step. The first objective of all Member States and regional organizations interested in seeing an end to this matter should be to persuade the Government of Libya to fulfil its obligations so that sanctions can be lifted and the authority of the Council be upheld.

In the meantime we have taken note of the proposals in the joint letter of the Secretaries-General relating to humanitarian flights. Resolution 748 (1992) of course already contains provisions for the Libyans to apply to the Committee established pursuant to that resolution for special dispensation for humanitarian flights. We would like to reiterate our willingness to continue to consider such applications, as provided for in resolution 748 (1992), which does not limit humanitarian needs to medical evacuations. In addition, for the last three years the Committee has permitted flights to the Hajj, thus facilitating travel by Libyan citizens to undertake this act of religious devotion. We see no reason why this practice should not continue.

We should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Alain DEJAMMET
Permanent Representative of
France to the United Nations

(Signed) Stephen GOMERSALL
Chargé d'affaires of the
United Kingdom of Great Britain
and Northern Ireland to the
United Nations

(Signed) Bill RICHARDSON
Permanent Representative of the
United States of America to the
United Nations